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MCDERMOTT, WILL & EMERY**GROUP 1600****FACSIMILE****OFFICIAL****FROM:**

Attorney: Judith L. Toffenetti, Esq. Direct Phone: 202-756-8320
Attorney's E-Mail: jtoffenetti@mwe.com
Secretary: Rosanna Pase Direct Phone: 202-756-8392
Client/Matter/Tkpr: 64162-022-6740 Date: March 18, 2003 Time Sent: _____
Number of pages including this page: 14

TO:

Examiner **Scott D. PRIEBE**
Name: GAU1632 Facsimile No. 703 308 4242
Company: U.S. Patent & Trademark Office Contact No. _____

Re: U.S. Patent Application No. 09/464,767

Response to Office Action due February 16, 2003 (Second Extension)

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ATTORNEY DOCKET NO. 64162-22
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re CPA Application of:)
Gerald W. BOTH, et al.) Group Art Unit: 1632
Serial No.: 09/464,767) Examiner: SCOTT D. PRIEBE
Filed: December 16, 1999)
For: DNA ENCODING OVINE ADENOVIRUS)
(OAV287) AND ITS USE AS A VIRAL VECTOR)

LETTER SUBMITTING DECLARATION UNDER 35 USC § 1.132

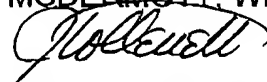
Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Supplemental to the Amendment and Reply filed with the U.S. Patent and Trademark Office on March 17, 2003, Applicants submit a Declaration Under 35 U.S.C. § 1.132 in the above-identified application duly executed by the inventor, Gerald W. Both.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Judith L. Toffenetti
Registration No. 39,048

600 13th Street, N.W., Suite 1200
Washington, DC 20005-3096
Telephone: (202) 756-8000
Facsimile: (202) 756-8087
Date: March 18, 2003

Applicant: Gerald Wayne BOTH, et al. Docket No.: 64162-022

Title: DNA ENCODING OVINE ADENOVIRUS (OAV287) AND ITS USE Serial/Reg./Patent No. 09/464,767
AS A VIRAL VECTOR

Date Sent: 3/17/2003 ☐ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ Express Mail No. _____

☐ Transmittal Letter

New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ CPA ☐ RCE ☐ Prov

☐ Other: _____

_____ pages of Specification

_____ pages of Claims

_____ pages of Abstract

_____ pages of Formal/Informal Drawings

☐ Small Entity ☐ Large Entity

☐ Declaration/Power of Attorney

☐ Recordation of Assignment/Security Agreement

☐ Information Disclosure Statement

_____ Form PTO 1449

_____ copies of cited references

☐ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Resp. to Notice to Correct App. Papers

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☒ Response/Amendment to Office Action of 16SEP02

☒ Petition for THREE month Extension of Time

☐ Letter submitting _____ pages of drawings

☐ Req. for Approval of Drawing Amendments

☐ Req. for Oral Hearing

☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Rule 312 Amendment/Letter

☐ Req. for Acknowledgement of Cited Art

☐ Issue Fee

☐ Publication Fee

☐ Req. for Certificate of Correction

☐ Maintenance Fee for _____ years after grant

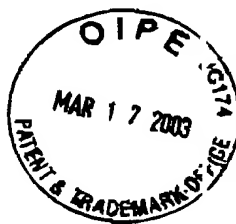
☐ Fee Address Indication Form _____

☒ Terminal Disclaimer

☐ Petition to Commissioner

☐ Status Inquiry

☐ Other



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